

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 19, 1998

DIVISION ONE

B118071 Diamond
 v.
 Minouei

B121783 Diamond
 v.
 Mehdian et al.

Filed order consolidating above captioned appeals.

B115666 Debbie F. (Not for Publication)
 v.
 Anita Associates, et al.

The judgment is affirmed. Hahn is entitled to its costs on appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
 Masterson, J.

B120179 Meehan (Not for Publication)
 v.
 Howard Leight Industries, et al.

The judgment is affirmed. Leight Industries is awarded its costs of appeal.

Vogel (Miriam A.), Acting P.J.

We concur: Masterson, J.
 Dunn, J. (Assigned)

November 19, 1998-Continued

DIVISION ONE (Continued)

B123604 Marie C. (Not for Publication)
v.
Los Angeles County, D.C.S.

The appeal is dismissed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Masterson, J.

DIVISION TWO

Court convened at 9:15 A.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

B119082 People
v.
Alvarez

Merits:
Argued by Allen Weinberg for appellant and by Ruth L. Wei, Deputy Attorney General for respondent. Cause submitted.

B118885 People
v.
Hamm

Merits:
Argued by Allen Weinberg for appellant and by Teresa Mann, Deputy Attorney General for respondent. Cause submitted.

DIVISION TWO (Continued)

B118161 People
 v.
 Hughes

Merits:
Argued by David Bernstein for appellant and by Douglas Wilson, Deputy Attorney General for respondent. Cause submitted.

B119026 People
 v.
 Butler

Merits:
Argued by James Bostwick for appellant and by Jennifer Leal, Deputy Attorney General for respondent. Cause submitted.

B117006 Miller
 v.
 Glendale Unified School District

Merits:
Argued by Lew Hollman for appellant and by Kenton Moore for respondent. Cause submitted.

B115021 Orange World Inc.
 v.
 Department of Industrial Relations

Merits:
Argued by Marc Golden for appellant and by Barbara Ferguson for respondent. Cause submitted.

B121576 Escher
 v.
 Pomona First Federal

Merits:
Argued by Paul Mahoney for appellant and by James Payne for respondent. Cause submitted.

DIVISION TWO (Continued)

B120313 Mittry
 v.
 Massabni
 (Wells Fargo Bank, r.p.i.)

Merits:
Argued by Frederick Watson for appellant and by Andrew Garb and Karl DeCosta for respondents. Cause submitted.

Court Recessed.

The Court reconvened at 1:00 P.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

B122383 Tippetts
 v.
 Cybermedia Inc.

Merits:
Argued by Ted Travis for appellant and by Jack Hull for respondent. Cause submitted.

B125577 Garcetti
 v.
 Sup. Ct. L.A. County
 (Kise, r.p.i.)

Merits:
Argued by Brent Riggs, Deputy District Attorney for petitioner and by Jack Weedon for real party in interest. Cause submitted.

B115789 Bruno
 v.
 Food 4 Less Holding Inc.

Merits:
Argued by Kathy McCormick for appellant and by Michael Chamberlin for respondent. Cause submitted.

DIVISION TWO (Continued)

B124978 Toni J.
 v.
 Sup. Ct., L.A. County
 (Dept Children Services, r.p.i.)

Merits:

Argued by Stella Rafier for petitioner and by Lois Timnick, Deputy County Counsel for respondent. Cause submitted.

B125217 Agricultural Insurance Co.
 v.
 Sup. Ct. L.A. County
 (MKDG/Rhodes SC Partnership, r.p.i.)

Merits:

Argued by Ty Vanderford for petitioner and by Sharon Arkin for real party in interest. Cause submitted.

B116084 Lyons
 v.
 Toyota Motor Sales

Merits:

Argued by Patricia Barry for appellant and by Dennis Brown for respondent. Cause submitted.

B126032 Mercier
 v.
 Sup. Ct., L.A. County
 (Wal Mart Stores, r.p.i.)

Merits:

Argued by Martin Stearn for petitioner and by Will Tomlinson for respondent. Cause submitted.

DIVISION TWO (Continued)

B118603 Crosstalk Productions Inc.
v.
CBS TV Network

Merits:

Argued by Gerard Fox for appellant and by Mary Newcombe for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B117526 People (Not for Publication)
v.
Mendez-Marcos

The judgment is reversed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B117882 People (Not for Publication)
v.
Helo

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

[illegible]

The order under review is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B120563 People (Not for Publication)
v.
Jessie B.

The order under review is reversed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B123132 People (Not for Publication)
v.
Mejia

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

[illegible]

The order appealed from is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

November 19, 1998-Continued

DIVISION FOUR (Continued)

B113272 Derderian (Not for Publication)
v.
St. Luke Medical Center

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

B115563 Garfield Medical Center (Not for Publication)
v.
Belshe

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

B114612 Rochin (Certified for Publication)
v.
Pat Johnson Mfg. Co.

The judgment of dismissal is reversed, and the matter is remanded for further proceedings in keeping with this opinion. Plaintiff and appellant to recover costs on appeal.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FOUR (Continued)

B122062 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Jerry V.

The order terminating appellant's parental rights is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Curry, J.

B120519 People (Not for Publication)
 v.
 Gomez

The judgment is modified to include an additional restitution fine of \$10,000, pursuant to Penal Code section 1202.45. As so modified, the judgment is affirmed. The clerk of the superior court is directed to prepare and send to the Department of Corrections a corrected abstract of judgment reflecting the imposition of a \$10,000 restitution fine pursuant to Penal Code section 1202.4, and an additional \$10,000 restitution fine pursuant to Penal Code section 1202.45.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Curry, J.

DIVISION FOUR (Continued)

B115617 People (Not for Publication)
v.
Alves, et al.

The trial court is directed to prepare and forward to the Department of Corrections an amended abstract of judgment for each defendant providing that pursuant to Penal Code section 654 the sentence on count 2 (conspiracy) is stayed, said stay to become permanent upon completion of the service of the sentence imposed on count 1 (murder). In all other respects, the judgments are affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B113460 Private Movie Company (Not for Publication)
v.
Anderson

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

DIVISION FOUR (Continued)

B108520 Hadedada (Not for Publication)
v.
J.R. Ocean Sales Corp.

The order denying attorney fees is reversed as to defendant LaPeer Collections Owners Association, Inc., and the cause is remanded for the trial court to determine such defendant's reasonable costs and attorney fees. The order denying attorney fees is affirmed as to defendants David Ronen, J. R. Ocean Sales Corp., and JDR Prime Properties, Inc. Appellant LaPeer Collections Owners Association, Inc. shall recover its costs on appeal from respondent Sholomo Hadedad. Appellants David Ronen, J. R. Ocean Sales Corp., and JDR Prime Properties, Inc., and respondent Sholomo Hadedad, shall bear their own costs on appeal.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

Each of the following:

B119937 Carty v. Anooshian
B125205 Jeffery v. San Luis Obispo Co. Superior Court

Argument waived, cause submitted.

B123705 Gilkison
v.
Ventura Co. Superior Court

Review:
Presented by Andrew M. Wolf for petitioner. Presentation previously waived by respondent and real party in interest. Cause submitted.

DIVISION SIX (Continued)

B120223 Ventura Co. Sheriff's Assoc.
 v.
 Board of Retirement

Merits:

Argued by Stephen H. Silver for appellant and by Dennis L. Slivinski,
Assistant County Counsel, for respondent. Cause submitted.

B117380 Ford Construction
 v.
 Birges

Merits:

Argued by John F. Hodges for appellant and by Joseph R. Zamora for
respondent. Cause submitted.

B119879 Kapp
 v.
 Kapp

Merits:

Argued by Lee B. Madinger for appellant and by Peter A. Goldenring for
respondent. Cause submitted.

B117754 Moline
 v.
 Moffat & Nichols Engineers

Appearances:

Eugene West for appellant, Andrea M. Gauthier for respondent Cushman
and Laura M. Booth for respondent Moffat. Argument waived, cause
submitted.

DIVISION SIX (Continued)

B117042 Khoury
 v.
 Mateljan

Merits:
Argued by Vatche Chorbajian for appellant, by Angel Gomez for
respondent Health Valley and by Richard R. Pace for respondent Mateljan.
Cause submitted.

B118494 Hernandez
 v.
 Huntington Park Redevelopment

Merits:
Argued by Vatchie Chorbajian for appellant and by Robert Paul for
respondent. Cause submitted.

B118154 Wilson
 v.
 Began

Merits:
Argued by Robert C. Wilson appellant appearing in propria persona and by
Charles S. Pode for respondent. Cause submitted.

Coffee, J. leaves the bench.

Burke, J. (Assigned) leaves the bench.

B120952 Edwards
 v.
 Lindenlaub

Merits:
Argued by Edward Steinbrecher for appellant and by Chris Nettesheim for
respondent. Cause submitted.

Court recessed at 10:40 A.M.

DIVISION SIX (Continued)

Court reconvened at 10:54 A.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., and G. Bents, Deputy Clerk.

B120456 Fairview Neighbors
v.
Ventura County

Merits:

Argued by Kate M. Neiswender for appellant and by John A. Henning, Jr.,
for respondent. Cause submitted.

Court recessed at 11:35 A.M.

Court reconvened at 1:50 P.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents,
Deputy Clerk.

Each of the following:

B109965 People v. Thompson
B109977 People v. Lamon
B112420 People v. Edwards
B114753 People v. Stewart
B115174 People v. Perry
B116441 People v. Fitzwater
B116693 People v. Pelayo & Pelayo
B118285 People v. Macauley
B118776 People v. Justin C.
B118799 People v. Daniel
B120663 People v. Beaulieu
B121609 People v. Hanson
B121901 People v. Reyna
B122310 People v. Alcala

Argument waived, cause submitted.

DIVISION SIX (Continued)

B115898 People
 v.
 Rodriguez

Merits:

Argued by Dan Mrotek for appellant and by Michael J. Wise, Deputy Attorney General, for respondent via video. Cause submitted.

Burke, J. (Assigned) leaves the bench.

B119950 People
 v.
 Murphy

Merits:

Argued by Gabriele Mezger-Lashly for appellant and by Teresa G. Mann, Deputy Attorney General, for respondent via video. Cause submitted.

B120207 People
 v.
 Jacks

Merits:

Argued by Matthew P. Guasco for appellant and by Corey J. Robins, Deputy Attorney General, for respondent via video. Cause submitted.

B117524 People
 v.
 Muelder

Merits:

Argued by Kevin B. Drescher, Deputy District Attorney, for appellant and by Wendy Lascher for respondent. Cause submitted.

DIVISION SIX (Continued)

B118874 People
 v.
 Walters

Merits:
Argued by Wendy Lascher for appellant and by Joseph P. Lee, Deputy Attorney General, for respondent via video. Cause submitted.

B118874 People
 v.
 Sutherland

Merits:
Argued by Janet Vining Mitchell for appellant and by John Yang, Deputy Attorney General, for respondent via video. Cause submitted.

Gilbert, J. leaves the bench.

B114470 People
 v.
 Harbridge

Merits:
Argued by Maureen DeMaio for appellant and by Russell A. Lehman, Deputy Attorney General, for respondent via video. Cause submitted.

Court recessed at 3:24 P.M.

Court reconvened at 3:50 P.M.

Present: Stone, P.J., Gilbert, J., Coffee, J., and G. Bents, Deputy Clerk.

B121053 People
 v.
 Ellis

Merits:
Argued by Barbara O'Neill Ferris for appellant and by David Glassman, Deputy Attorney General, for respondent. Cause submitted.

Court adjourned at 4:15 P.M.